

REMARKS/ARGUMENTS

These remarks are submitted responsive to the office action dated March 21, 2006 (Office Action). As this response is filed within the three-month shortened statutory period, no fees are believed due. The Examiner is expressly authorized, however, to charge any deficiencies in fees or credit any overpayment to Deposit Account No. 50-0951.

Claims 1, 2, 7, 14-20, 22, 32-33, 38, and 45-51 were rejected under 35 U.S.C. § 102 (e) as being unpatentable over U.S. Published Patent Application No. 2002/0178232 to Ferguson (hereinafter Ferguson), in view of U.S. Patent No. 6,088,718 to Altschuler *et al.* (hereinafter Altschuler). Claims 5, 6, 8, 21, 24, 25, 36, 37, 39, and 52 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Ferguson and Altschuler, in view of U.S. Patent No. 5,918,013 to Mighdoll *et al.* (hereinafter Mighdoll). Claims 9, 26, and 40 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Ferguson and Altschuler, in view of U.S. Patent No. 6,601,091 to Spilo (hereinafter Spilo). Claims 10, 11, 13, 41, 42, and 44 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Ferguson and Altschuler, in view of U.S. Patent No. 6,119,135 to Helfman (hereinafter Helfman). Claims 3, 4, 23, 34, and 35 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Ferguson and Altschuler, in view of what is asserted in the Office Action to be well known in the art.

Applicants have amended independent Claims 1, 22, and 32 to emphasize certain aspects of the invention. Applicants also have cancelled herein dependent Claims 9, 26, and 40. Additionally, Applicants present herein newly-added Claim 59 to further emphasize certain aspects of the invention. The claim amendments, as discussed herein, are fully supported throughout the Specification. No new matter has been introduced by the amendments.

Applicants' Invention

It may be useful at this juncture to reiterate certain aspects of Applicants' invention. One embodiment of the invention, exemplified by newly-added Claim 59, is a method for presenting and managing hypermedia content in a hypermedia content presentation system that has been configured to access hypermedia content from a plurality of network-linked sources. The method can include presenting hypermedia content, wherein the hypermedia content contains hyperlinks to additional hypermedia content. The method also can include receiving a user selection of at least one of the hyperlinks, and, in response to a user's selecting at least one of the hyperlinks, storing the user-selected hyperlinks in a delayed viewing list.

The method further can include analyzing data storage resources of the system, as well as analyzing the processing resources of the system and/or transmission bandwidth of a network connection of the system. (See, e.g., Specification, p. 12, lines 3-12, and p. 15, lines 23-27.) The analyzing step can be performed so as to determine whether at least one resource-constrained condition exists, in the sense that if such a condition exists, it implies that at a given instant of time the system's available resources are insufficient to store data, process data, or exchange data via a network connection. (See, e.g., Specification, p. 12, lines 6-9; see also Specification, p. 16, lines 7-15.)

Additionally, the method can include caching hypermedia content associated with the stored hyperlinks during the presenting step if no resource-constrained condition exists, and alternatively, delaying caching hypermedia content associated with the stored hyperlinks as long as at least one resource-constrained condition exists. (See, e.g., Specification, p. 12, lines 13-24; and p. 15, line 27 – p. 16, line 6.)

The Claims Define Over The Prior Art

As already noted, each of the independent claims were rejected as being unpatentable over Ferguson in view of Altschuler. As observed at page 8 of the Office

Action, however, neither Ferguson nor Altschuler teaches downloading or delaying the downloading of hypermedia content based upon an evaluation of a computing system's available resources, as recited in each of the independent claims, as amended, as well as newly-presented independent Claim 59.

Nonetheless, it is further asserted at page 8 of the Office Action that such a feature is taught by Spilo. Spilo is directed to an Internet Browser, implemented as an adjunct to existing Browsers or as a stand-alone Browser, having a "read-ahead mechanism" for scanning current data-sets and reading other data-sets referenced in the current data set. (See, e.g., Col. 4, lines 19-28; see also Abstract.) By "reading ahead" the referenced data-sets, Spilo can enable the transmission of a referenced data-set such that it will be available "as soon as [a] user selects" a data-set corresponding to a Web document. (See, e.g., Col. 4, lines 29-44.)

In the portion of the reference cited in the Office Action, Spilo's evaluation of a system's available resources is explicitly described:

"As part of the access process, the size of the document is obtained. This size data is used at 604 to determine whether, when the document is retrieved and stored locally, there would remain additional space for further retrieved documents. The storage may be on hard or floppy disk, ram, etc., as known in the art. If this determination indicates that further storage space is available, a next background retrieval process is commenced at 607, whereby the next location is identified, accessed and available space determined. This process continues, whereby the documents are accessed on a continuing basis, until the determination at 604 indicates that no further documents will be able to be stored. At that point, the process branches to 605, whereby the accessed data is retrieved and placed into local storage at 606. The system then enters a waiting phase, awaiting a

new decision at 604 that local space has become available, at which time the document retrieval process through a new process 607 is recommenced. Such local space may become available by the invention deleting one or more stored documents after a set period of time, after a period of non-use, or otherwise. Such parameters may be specified and set by the user." (Col. 5, lines 38-59.)

As the quoted language reveals, Spilo's evaluation of system resources is limited to a comparison of the size of a document to available space in memory; that is, Spilo takes into account data storage resources, be the storage a hard disk, floppy disk, RAM, or other data storage element. Spilo is completely silent regarding any other type of system or network-based resource. Specifically, Spilo does not even allude to a system's processing capabilities or bandwidth available for exchanging data over a network-system connection.

It follows that Spilo does not supply those features found to be lacking in both Ferguson and Altschuler. In particular, Spilo does not teach or suggest analyzing both the data storage resources of a system as well as the system's processing resources or available transmission bandwidth available over a connection between the system and a network of other devices, as recited in each of the independent claims, as amended, as well as newly-presented independent Claim 59. It further follows, therefore, that none of the references, read either alone or in conjunction with the others, teaches or suggests determining if at least one resource-constrained condition exists, where the determination is based not only on an evaluation of a system's data storage resources, but the available processing resources of the system and/or the bandwidth available for effecting a connection of the system to a network.

It is also noted that none of the references teach or suggest not merely organizing cached hypermedia content into a series of topic folders corresponding to different topics,

but further storing delayed viewing list entries in each such of topic folder such that each entry is stored in a topic folder containing associated hypermedia content, as further recited in the claims. Specifically, with respect to Altschuler, which describes the organizing of resources into categories or "attributes," the reference does not teach or suggest organizing content into topic folders and including within the topic folder delayed viewing list entries that are associated with hypermedia content. This is revealed in language cited in the Office Action:

"[G]iven an almost infinite number of potential resources available on the Internet, a massive dimension reduction of resources is desired. Such a dimension reduction may be accomplished by classifying resources into one or more categories or 'attributes.' For example, a resource which describes how to photograph stars may be classified to include attributes of "photography" and "astronomy", or more generally (thereby further reducing dimensions), 'hobbies' and 'sciences.'" (Col. 5, lines 1-8.)

The organizing of resources or content into categories, however, does not suggest the features recited in the claims. Specifically, the organizing of content, in and of itself, does not teach or even suggest not only organizing content into topic folders, but further and including with in the topic folders delayed viewing list entries that are associated with hypermedia content contained therein.

Accordingly, even when combined, the references fail to teach or suggest every feature recited in independent Claims 1, 22, and 32, as amended, as well as newly-presented independent Claim 59. Applicants respectfully submit, therefore, that amended independent Claims 1, 22, and 32, as well as newly-added independent Claim 59, define over the prior art. Applicants further respectfully submit that whereas each of the

remaining claims depends from one of the amended independent claims while reciting additional features, these claims likewise define over the prior art.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

Date: **June 21, 2006**



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